

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RICK MCLELLAN,

Plaintiff,

v.

STATE OF NEVADA ex rel.
DEPARTMENT OF PUBLIC SAFETY, et
al.,

Defendants.

Case No. 3:12-cv-00391-MMD-WGC

ORDER

The Ninth Circuit Court of Appeals reversed the Court's ruling that claim preclusion bars Plaintiff's claims against Defendants Tony Almaraz, Chris Perry and Jarold Hafen (collectively, "Individual Defendants"), who are sued in their individual capacities, and remanded for further proceedings.¹ (ECF No. 78.) Accordingly, the portion of the Court's Order granting summary judgment (ECF No. 68), and the corresponding Judgment (ECF No. 69), in favor of the Individual Defendants are vacated. The parties are directed to file a joint status report within fourteen (14) days to propose a schedule for the remaining proceedings in this case.

DATED THIS 19th day of January 2017.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

¹The Ninth Circuit Court of Appeals affirmed the ruling that claim preclusion bars Plaintiff's claims against Defendant James Wright. (ECF No. 78.)